



Eighth Circuit's Order to Show Cause – after which the Eighth Circuit dismissed his appeal “for lack of jurisdiction.” (Motion, Ex. 6 at 2.) And finally, after the time to file a proper appeal expired, Attorney Brown filed an Amended Notice of Appeal in the Sixth Circuit. (Id.)

Attorney Brown has filed an opposition brief arguing primarily that the request for \$40,000 of the \$45,000 bond covering administrative costs is not within the purview of Rule 7. (Doc #: 121.)

In reply, Lead Plaintiff explains in detail how it is justified in seeking a bond that includes administrative costs under Rule 7. (Doc #: 122 at 9-15.)

The Court will not countenance Attorney Brown's dubious efforts to extract a personal financial payoff – particularly when his meritless efforts and lack of diligence continue to postpone relief to the rest of the class.

Accordingly, the Court hereby **GRANTS** Lead Plaintiff's Motion.

**IT IS SO ORDERED.**

/s/ Dan A. Polster    December 7, 2016  
**Dan Aaron Polster**  
**United States District Judge**